

Appl. No. : 10/698,148
Filed : October 31, 2003

REMARKS

Prior to Applicants' election herewith, Claims 43-50, 52, and 54-75 stand pending. Claims 51 and 53 were previously cancelled.

In the Restriction Requirement mailed March 14, 2007, the Examiner required restriction to one of the following four inventions:

Group I: Claims 43-61 and 72-73, drawn to a method for treating obesity and anchoring by flexing or expanding anchor, classified in class 623, subclass 23.65.

Group II: Claims 43, 44, 54, and 62-71, drawn to a method to prevent morbid obesity by evertting a sleeve by peroral approach, classified in class 623, subclass 23.65.

Group III: Claims 43 and 74, drawn to a method to treat obesity with radiopaque visualization, classified in class 623, subclass 23.65.

Group IV: Claims 43 and 75, drawn to a method to treat obesity by applying antegrade tension through peristaltic motion, classified in class 623, subclass 23.65.

Applicants hereby elect invention Group I without traverse, corresponding to Claims 43-61 and 72-73, drawn to a method for treating obesity and anchoring by flexing or expanding anchor, classified in class 623, subclass 23.65. Claims 62-71 and 74-75 are hereby withdrawn. Applicants submit that Claim 43 is a generic linking claim to Claims 62-71 and 74-75, which depend from Claim 43 and recite all of the elements thereof in addition to further distinguishing features, and thus submit that these claims be reinstated into the present application should the Examiner find Claim 43 to be allowable.

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Conclusion

Applicant respectfully submits that all pending claims of the present application are in condition for allowance, and such action is earnestly solicited. If, however, any questions remain, the Examiner is cordially invited to contact the undersigned so that any such matter may be promptly resolved.

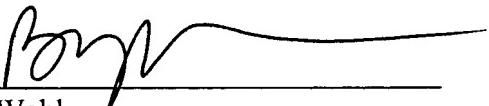
Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: 4/25/07

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